

DRAFT

The Honorable Edward P. Boland, Chairman  
Permanent Select Committee on Intelligence  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Mr. Chairman:

In my letter of September 28, 1978, responding to your request that I cover six special subjects in this year's annual report, I said that I would be able to accommodate all of those subjects with one exception. It has now been brought to my attention that another of those subjects is not within my competence or jurisdiction. That is the fifth special subject:

All reports from the Attorney General to the President regarding any intelligence activities which raise questions of legality and decisions made or actions taken in response to reports from agencies within the intelligence community forwarded to the Attorney General by the Intelligence Oversight Board.

[ In fact, of course, I do not have the information which is asked for, and it would be appropriate and possible only for the President and the Attorney General, respectively, to provide the information you seek.

With very best wishes.

Yours sincerely,

STANSFIELD TURNER

*I do not feel that I can respond to the committee's request for two reasons. First, there is no assurance that I will receive all such correspondence between the Attorney General and the President. Secondly, even if I were provided copies of such documents, it is <sup>not</sup> more appropriate to request ~~for someone~~ <sup>other than</sup> the original ~~to be sent to the committee~~.*

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(over)

on your behalf and request  
Should you wish, I can and will be most  
happy to ~~request~~ the Attorney General to provide  
such information to the Congress either on a case by case  
or continuing basis. I do request, however, that  
you release me from the obligation of providing such  
information unilaterally and directly.

JWB:

STAT

[redacted], Deputy General Counsel, just called about annual report tasking to the General Counsel Office. Problem is that they say the DCI cannot answer Task #5 of the Boland letter (Att. General to President Oversight reports and IOB to Att. General reports.) Unfortunately, OLC did not originally so advise us; they simply indicated GC should more properly organize the work. Meanwhile, DCI has written Boland that he could accommodate all the special tasks except #4 (Foreign Agreements). We talked about various ways to retrieve this situation and decided that a new DCI to Boland letter now is awkward but best under circumstances. GC will draft. When it goes, GC or we should follow up with a call to Lattimer. Any better ideas??

[redacted]

STAT

ROUTING AND RECORD SHEET

SUBJECT: (Optional)

FROM:
 

Deputy General Counsel

EXTENSION

NO.

DATE

27 October 1978

TO: (Officer designation, room number, and building)

DATE

OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1. AD/PGO  
BW09 CHB

2. Attn:

30/10/78

J

3.

CLLO -

4.

do you have any better ideas? let me know (I'll call)

5.

6.

7.

8.

9.

10.

11.

12.

13.

14.

15.

Here is a proposed draft letter from the Director to Chairman Boland covering the question I talked to you about yesterday.

Diana

Please see my comments on draft. Could you deal with directly & let me know how it comes out?  
 Thanks. Jim.

2nd sentence deleted because  
 ① would put DCI in middle for response over which he has no control, &  
 ② AG can't necessarily release his reports to Pres, only Pres. can.  
 ③ used your 1st & 3rd sentences (more graceful) & then asked Congress to ask directly. This is un-  
 fair but I should cut our losses and throw pard.